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SERVICE DATE - DECEMBER 1, 2000

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-303 (Sub No. 22 X)

WISCONSIN CENTRAL LIMITED
PETITION FOR EXEMPTION FOR ABANDONMENT -
IN BROWN AND CALUMET COUNTIES, WI

BACKGROUND

In this proceeding, Wisconsin Central Limited (WCL) has filed an application seeking authority under 49 U.S.C. 10903 to abandon its rail line segment located from milepost 170.0, at or near Hilbert, WI, to milepost 183.0, at or near Greenleaf, WI, a distance of approximately 13.0 miles traversing the Wisconsin counties of Brown and Calumet. A map depicting the rail line segment in relationship to the area served is appended to the report. If the application is approved, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The rail line proposed for abandonment is located in eastern Wisconsin in Brown and Calumet Counties, near the City of Green Bay. The area adjacent to the rail line is flat and under mixed agricultural use. The rail line runs in a north-south direction and is located just east of and parallel to Wisconsin State Highways 32/57.

There are currently two shippers on the rail line, Progressive Farmers Coop (PFC) and Cornette Farm Supply (CFS). During 1998, both shippers moved a combined 137 railcars, 149 railcars during 1999, and 89 railcars, as of September 28, 2000. WCL states that no other traffic has originated or terminated on the rail line since the beginning of 1998 to the present. WCL additionally states that there is no overhead traffic on this rail line. The major commodities handled are agricultural in nature.

CFS has not indicated opposition to the proposed abandonment and WCL understands that CFS is considering relocating their facility off the rail line. With regard to PFC, it is currently considering other arrangements for service.

WCL's Environmental and Historical Report (ER) states that there are no buildings on the rail line right-of-way. The ER has identified a seven span pile bridge over the Manitowoc River, a 30 foot deck girder bridge spanning the Devil River, as well as six concrete box culverts. WCL believes that all of the structures are at least 50 years old. WCL has evaluated all the structures in accordance with criteria set forth in 36 CFR 60.4 and has determined that a culvert does not qualify for listing on the National Register. WCL also does not believe that any significant archaeological finds are located along the right-of-way.

ENVIRONMENTAL REVIEW

WCL submitted an ER that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have verified the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental and historic effects of the proposed abandonment.

WCL states that the rail line proposed for abandonment does not cross nor is it adjacent to State or National Park lands nor does it cross or is adjacent to any Indian Reservations. However, the Wisconsin Department of Natural Resources (WI-DNR) indicates that the rail line passes through part of the Brillion State Wildlife Area.

SEA also consulted with the following agencies: U.S. Environmental Protection Agency, Region 5; State Historical Society of Wisconsin; Wisconsin Department of Transportation; Wisconsin Department of Environmental Quality; Brown County Executive; and Calumet County Administrative Coordinator.

Transportation

Wisconsin State Highways 32/57 are classified as a two lane principal arterial and is a key north to south thoroughfare serving the region. In addition to information contained in WCL's ER, SEA also consulted with the Wisconsin Department of Transportation (WI-DOT)¹ regarding average daily traffic (ADT) data and roadway classification.

¹Telephone consultation with Lisa Norquay, District 3, WI-DOT.

Rail-to-Truck Diversions

SEA's preliminary analysis of 1999 railcar data (base year), indicates that 149 railcars would be diverted to trucks.² The proposed abandonment, if approved, would result in 834.4³ additional trucks or 1,668.8 additional truck trips annually. When the additional trucks are calculated on a per day basis, an estimated 3.5 trucks (7.0 truck trips) per day result during a 240 day year.⁴ It is important to note that SEA is assuming an empty backhaul, which means that approximately 7.0 trucks per day will be traveling on Wisconsin State Highways 32/57.

In analyzing transportation impacts, SEA used the communities of Greenleaf and Hilbert as benchmarks for comparison because those are areas for which SEA was able to obtain the most current ADT information.

To further analyze the potential impact of the additional truck traffic, SEA calculated the percent increase in new truck traffic, as outlined above. SEA determined that the percent increase in ADT, based on a 240 day year (3.5 new trucks per day in each direction) would result in the following:

Community	ADT	Estimated New Truck Trips	Percent Increase in ADT
Greenleaf	2,100 ⁵	7.0	0.3
Hilbert	5,800 ⁶	7.0	0.1

Based on the results which indicate an increase in ADT of less than one percent, SEA concludes that rail-to-truck diversions resulting from the proposed abandonment, if approved, will not significantly contribute to traffic delay or adversely affect safety.

²SEA notes that using 1999 railcar data is a worst case scenario since Cornette Farm Supply is contemplating moving to a facility off of the rail line.

³SEA used a conversion of 5.6 trucks per railcar - railcars carry 100 tons and most trucks can carry 18 tons.

⁴240 workdays result when weekends and holidays are subtracted from a 365 day year.

⁵1998 ADT data provided by Lisa Norquay, District 3, WI-DOT.

⁶2000 ADT data provided by Lisa Norquay, District 3, WI-DOT.

Finally, WCL states that it would remove all 23 at-grade crossings located on the line proposed for abandonment. These existing at-grade crossings consist of both public and private at-grade crossings. SEA believes that removal of these at-grade crossings would reduce the number of injuries and fatalities that might otherwise occur.

Following abandonment, PFC and CFS would have the alternative of trucking their goods to or from another railhead or to and from the ultimate origin and destination. The impact of this movement on Wisconsin State Highway's 32/57 is not expected to have a significant effect on the traffic patterns because the change in ADT represents less than a one percent increase (this also includes seasonal traffic patterns) at any point of entry for the new traffic. SEA therefore concludes that impacts to highway infrastructure and safety on roadways would not be significant.

Energy Consumption

As stated earlier, SEA determined that 834.4 trucks would be required to move the rail traffic presently handled on the subject line. SEA's analysis indicates that this would result in 21,694.⁶ vehicle miles annually. Assuming that trucks use 4 times the amount of fuel as does a train and that a typical truck averages 6 miles per gallon, the new truck traffic would consume an additional 108,473.5 gallons of diesel fuel annually, which is less than 0.002 percent of the approximately 600 million gallons of diesel fuel consumed annually by motor carriers in the State of Wisconsin.⁷

Air Quality

The Board has established air quality and noise level threshold levels set forth at 49 CFR 1105.7(e)(5)(ii) and (e)(6). These thresholds are guidelines that are considered, along with other supporting information, to determine whether the air pollution and noise levels generated by rail traffic diverted to alternative modes warrant detailed analysis. The applicable threshold level for an attainment area when assessing air pollution is an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains per day on any segment of the rail line, or an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment.

⁶SEA determined annual vehicle miles by multiplying 834.4 new trucks x 26.0 miles (13.0 miles one-way).

⁷U.S. Department of Transportation - 1996 Motor Fuel Volume Taxed - 1996.

Consultation with the WI-DNR- Green Bay Office, indicates that the proposed area is an attainment area. To determine whether the air pollution that would be generated by the estimated new truck diversions, we compared the increase in existing ADT on Wisconsin State Highway 32/57 with the worst case scenario – 7.0 trucks per day, round-trip, would traverse the entire segment between Hilbert and Greenleaf. The results indicate if all of the diverted truck traffic traversed the entire 13.0 miles that there would be a 0.3 percent increase in ADT on the portion of Wisconsin State Highway 32/57 that carries the least amount of traffic, as measured near Greenleaf. The corresponding impacts to air quality would also be insignificant.

Noise Impacts

The project area is primarily agricultural consisting largely of grain farmers. In most of this area, the major noise source is traffic on local roads, train operations, and horn noise. The diversion of the agricultural traffic from rail to truck would likely have only a minor impact on ambient noise levels in this area. Train horn and wayside noise (that is, the noise generated by the operation of the train rather than by the sounding of the horn) would be eliminated.

Noise disturbances during salvage operations would be short-term. The noise generated from salvaging equipment would generally be less than from trains that currently travel along the line. The additional truck traffic on affected roads would result in insignificant increases in noise levels.

Solid and Hazardous Waste

WI-DOT states that if the rail line is abandoned, the greatest potential for environmental damage would result from the failure of WCL to properly discard of debris generated by salvage activities. WI-DOT request that WCL's salvage activities comply with the WI-DOT's Abandoned Railroad Line Salvage and Clean-up Policy /Standards/Procedures.

Additionally, WI-DOT requires the following:

- Prior to initiation of salvage activities at roadway at-grade crossings WCL must contact the appropriate maintaining authority to coordinate work efforts.
- Remove all rail, ties, and ballast from State at-grade crossings.
- Obtain a permit from the District Maintenance section to perform work on the roadway right-of-way.
- Take appropriate measures to handle traffic while rail line materials are being removed from the at-grade crossing.
- Restore the roadway at-grade crossing in like kind.

WI-DOT also requests that, if abandoned, WCL take all measures necessary to protect surveying benchmarks, monumentation, and mapping information for the rail line segment.

Cultural and Historic Resources

Additionally, the State Historical Society of Wisconsin has stated that their review did not identify any properties or areas of archeological or historical significance.

The National Geodetic Survey (NGS) has informed SEA that one (P-91) geodetic station marker may be affected by the proposed abandonment. NGS requests that it receive not less than 90 days' notification in advance of any salvage activities that may affect the marker in order to plan for their relocation.

Biological Resources

The U.S. Department of Interior (US-DOI) has identified the Bald Eagle and the Dwarf Lake Iris as federally listed or proposed threatened or endangered species. However, due to the nature of the proposed activities, the US-DOI has concluded that the listed species will not be adversely affected.

WI-DNR has indicated that salvage activities should not involve any significant environmental issues, but that all removal activities should be conducted in an environmentally sound manner. WI-DNR further states that there are no known threatened or endangered species along this rail corridor. However, in the event that rare plants and remnants of prairies are found along the right-of-way, WCL has stated that it will use every caution during salvage of the rail line and that all associated activities will be completed in an environmentally sound manner.

WI-DNR also requests that all salvage activities occurring within the boundaries of the Brillion State Wildlife Area be kept to a minimum.

Water Resources

The U.S. Environmental Protection Agency, Region 5, has concluded that the abandonment, as proposed, will not result in any adverse environmental impacts.

Additionally, the U.S. Army Corps of Engineers has indicated that the scope of work, as proposed, is outside of their regulatory jurisdiction and therefore has no comment.

The WI-DNR requests that WCL prepare a track salvage work plan (Work Plan) that addresses potential impact to water quality and wetlands. WCL should prepare this Work Plan in accordance with the WI-DOT's Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures.

WI-DNR states that, with regard to wetlands, if future use of the right-of-way is not for transportation or trail purposes, all fills should be removed and the original contours and vegetation re-established and all existing bridges and culverts must be removed and the embankments re-graded and permanently stabilized. Any work in the wetlands may require local, state, and/or U.S. Corps of Engineers permits.

WI-DNR has also expressed concern regarding storm and surface-water discharge due to salvage activity. WI-DNR requests that WCL consult with WI-DNR to determine if a permit for surface and storm-water discharge is required prior to salvage activity, and to implement Best Management Practices for salvaging in areas with potential soil and erosion problems.

CONDITIONS

Because many of the agencies we rely on to complete our environmental analysis have not yet completed their review, we preliminarily recommend the following conditions. A copy of the Environmental Assessment has been sent to those agencies for consideration.

1. If salvage operations are expected to destroy or disturb geodetic station marker P-91, Wisconsin Central Limited shall notify the U.S. Department of Commerce, National Geodetic Survey in not less than ninety days prior to commencement of such operations.
2. A. The Wisconsin Department of Natural Resources (WI-DNR) requests that Wisconsin Central Limited (WCL) prepare a track salvage work plan (Work Plan), in compliance with the Wisconsin Department of Transportation's Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures, that addresses potential impact to surface water quality and wetlands resulting from abandonment activities. We recommend that WCL consult with the WI-DNR regarding the Work Plan guidelines prior to consummation of abandonment activities.

- B. WI-DNR also states that the rail line passes through Brillion State Wildlife Area. We recommend that Wisconsin Central Limited shall, prior to any salvage activities, consult with the WI-DNR specifically about such activities within Brillion State Wildlife Area and take all steps necessary to keep salvage activities to a minimum within the boundary of the Brillion State Wildlife Area.
3. The Wisconsin Department of Transportation (WI-DOT) requests that Wisconsin Central Limited (WCL) prepare a track salvage work plan (Work Plan), in compliance with the WI-DOT's Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures, that addresses the following:
- WCL must contact the appropriate maintaining authority to coordinate work efforts.
 - Removal all rail, ties, and ballast from State at-grade crossings.
 - Obtaining a permit from the District Maintenance section to perform work on the roadway right-of-way.
 - Taking appropriate measures to handle traffic while rail line materials are being removed from the at-grade crossing.
 - Restoring the roadway at-grade crossing in like kind; and
 - Taking all measures necessary to protect surveying benchmarks, monumentation, and mapping information for the rail line segment.

We recommend that WCL consult with the WI-DOT regarding the Work Plan guidelines prior to consummation of abandonment activities.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed and if the recommended conditions are imposed, abandonment of this rail line segment will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

WI-DOT requests that, if abandoned, the rail corridor be preserved consistent with existing with existing land use plans.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

_____ WI-DNR states that they intend to acquire this corridor, if abandoned, as an extension to the Green Bay - Greenleaf State Recreation Trail. This rail corridor has also been identified in the State Trails Plan and the Northeast Region Trails Plan as a future State Trail segment.

_____ The Brown County Parks Department states that they are interested in seeing that this section of rail line is successfully railbanked. The northern 13.5 mile portion of this corridor, between Greenleaf and Green Bay, has been railbanked and is presently under development as a pedestrian and bicycle trail. They further state that the use of this rail corridor for trail purposes has been identified in the Brown County Open Space and Outdoor Recreation Plan and the WI-DNR State Trails Network Plan.

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Troy Brady, who prepared this environmental assessment. **Please refer to Docket No. AB-303 (Sub. No. 22 X) in all correspondence addressed to the Board.** Questions regarding this environmental assessment should be referred to Troy Brady at (202) 565-1554.

Date made available to the public: December 1, 2000.

Comment due date: **December 31, 2000 (30 days).**

By the Surface Transportation Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

Copies for the Environmental Assessment sent to above-referenced agencies for consideration.

MAP TO BE SCANNED